

08cv8920

CMP

**U.S. District Court
Southern District of Indiana (Evansville)
CIVIL DOCKET FOR CASE #: 3:08-cv-00027-RLY-WGH
Internal Use Only**

WELBORN BAPTIST FOUNDATION, INC. v. STATE
STREET GLOBAL ADVISORS, INC. et al
Assigned to: Judge Richard L. Young
Referred to: Magistrate Judge William G. Hussmann, Jr
Demand: \$9,999,000
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 03/03/2008
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

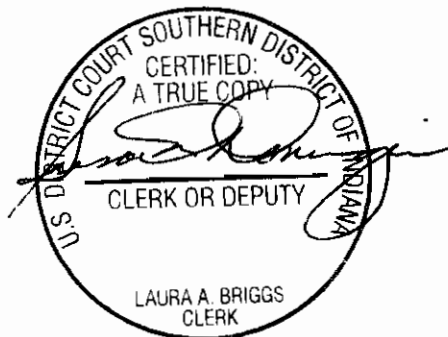
Plaintiff

**WELBORN BAPTIST
FOUNDATION, INC.**

represented by **David B. Helms**
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V.

Defendant

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Defendant

**STATE STREET BANK AND
 TRUST COMPANY**

represented by **Harvey J. Wolkoff**
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ATTORNEY TO BE NOTICED

Jeffrey P. Palmer
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Olivia S. Choe
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Robert A. Skinner
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Defendant

YANNI PARTNERS, INC.

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Date Filed	#	Docket Text
03/03/2008	<u>1</u>	COMPLAINT against STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY, YANNI PARTNERS, INC. with Jury Demand, filed by WELBORN BAPTIST FOUNDATION, INC.(NRN) (Entered: 03/03/2008)

03/03/2008	<u>2</u>	CIVIL COVER SHEET, filed by Plaintiff WELBORN BAPTIST FOUNDATION, INC. (NRN) (Entered: 03/03/2008)
03/03/2008	<u>3</u>	Corporate Disclosure Statement by WELBORN BAPTIST FOUNDATION, INC. (NRN) (Entered: 03/03/2008)
03/03/2008	<u>4</u>	Summons Issued as to STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY, YANNI PARTNERS, INC. (NRN) (Entered: 03/03/2008)
03/03/2008	<u>5</u>	NOTICE of Appearance by Michele S. Bryant on behalf of Plaintiff WELBORN BAPTIST FOUNDATION, INC. (NRN) (Entered: 03/03/2008)
03/03/2008	<u>6</u>	NOTICE of Appearance by Thomas J. Kimpel on behalf of Plaintiff WELBORN BAPTIST FOUNDATION, INC. (NRN) (Entered: 03/03/2008)
03/03/2008	<u>7</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (NRN) (Entered: 03/03/2008)
03/03/2008	<u>8</u>	MAGISTRATE JUDGE'S Summary of CMP Notice (NRN) (Entered: 03/03/2008)
03/03/2008	<u>9</u>	RECEIPT #EV000548 in the amount of \$350.00 for filing fee (NRN) (Entered: 03/03/2008)
03/11/2008	<u>10</u>	MOTION to Appear pro hac vice of R. Brad Ziegler, filed by Plaintiff WELBORN BAPTIST FOUNDATION, INC.(SMD) (Entered: 03/11/2008)
03/11/2008	<u>11</u>	MOTION to Appear pro hac vice of David B. Helms, filed by Plaintiff WELBORN BAPTIST FOUNDATION, INC.(SMD) (Entered: 03/11/2008)
03/11/2008	<u>12</u>	MOTION to Appear pro hac vice of Richard B. Walsh, Jr., filed by Plaintiff WELBORN BAPTIST FOUNDATION, INC. (SMD) (Entered: 03/11/2008)
03/11/2008	<u>13</u>	RECEIPT #EV000573 in the amount of \$90.00 (phv fees) (SMD) Modified on 3/12/2008 (NRN). (Entered: 03/11/2008)
03/12/2008		(Court only) ***MOTION(S) REFERRED to Magistrate Judge: <u>10</u> MOTION to Appear pro hac vice, <u>11</u> MOTION to Appear pro hac vice, <u>12</u> MOTION to Appear pro hac vice. Motions referred to William G. Hussmann, Jr.(TMD) (Entered: 03/12/2008)
03/12/2008	<u>14</u>	ORDER granting <u>10</u> <u>11</u> and <u>12</u> Motions to Appear pro hac vice. Attorney Richard B. Walsh, Jr for WELBORN BAPTIST FOUNDATION, INC., David B. Helms for WELBORN BAPTIST FOUNDATION, INC., R. Brad Ziegler for WELBORN BAPTIST FOUNDATION, INC. added. Signed by Magistrate Judge William G. Hussmann, Jr on 3/12/08. (TMD) (Entered: 03/12/2008)
03/20/2008	<u>15</u>	MOTION to Appear pro hac vice (Robert A. Skinner), filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Attachments: # <u>1</u> Text of Proposed Order) (NRN) (Entered: 03/20/2008)
03/20/2008	<u>16</u>	MOTION to Appear pro hac vice (Jeffrey P. Palmer), filed by Defendants

		STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Attachments: # 1 Text of Proposed Order) (NRN) (Entered: 03/20/2008)
03/20/2008	<u>17</u>	MOTION to Appear pro hac vice (Olivia S. Choe), filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Attachments: # 1 Text of Proposed Order) (NRN) (Entered: 03/20/2008)
03/20/2008	<u>18</u>	RECEIPT #EV000587, EV000588 and EV000589 in the total amount of \$ 90.00 for phv fees for Skinner, Palmer and Choe. (SMD) (Entered: 03/20/2008)
03/20/2008	<u>19</u>	ORDER granting <u>15</u> Motion to Appear pro hac vice. Attorney Robert A. Skinner, Jeffrey P. Palmer and Olivia S. Choe for STATE STREET GLOBAL ADVISORS, INC. and STATE STREET BANK AND TRUST COMPANY. Signed by Magistrate Judge William G. Hussmann, Jr on 3/20/08. (TMD) (Entered: 03/21/2008)
03/25/2008	<u>20</u>	MOTION to Appear pro hac vice of Harvey J. Wolkoff, filed by Defendants STATE STREET GLOBAL ADVISORS, INC. and STATE STREET BANK AND TRUST COMPANY. (Attachments: # 1 Text of Proposed Order)(SMD) (Entered: 03/25/2008)
03/25/2008	<u>21</u>	RECEIPT #EV000592 in the amount of \$ 30.00 (phv fees Wolkoff) (SMD) (Entered: 03/25/2008)
03/25/2008		(Court only) ***MOTION(S) REFERRED to Magistrate Judge: <u>20</u> MOTION to Appear pro hac vice. Motions referred to William G. Hussmann, Jr.(TMD) (Entered: 03/25/2008)
03/26/2008	<u>22</u>	ORDER granting <u>20</u> Motion to Appear pro hac vice. Attorney Harvey J. Wolkoff for STATE STREET GLOBAL ADVISORS, INC. and STATE STREET BANK AND TRUST COMPANY added. Signed by Magistrate Judge William G. Hussmann, Jr on 3/26/08. (TMD) (Entered: 03/26/2008)
03/27/2008	<u>23</u>	***WITHDRAWN PER ORDER <u>40</u> *** MOTION for Extension of Time to 4/15/2008 Pursuant to Local Rule 6.1, filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Skinner, Robert) Modified on 4/1/2008 (TMD). (Entered: 03/27/2008)
03/27/2008	<u>24</u>	MOTION to Appear pro hac vice of Douglas K. Spaulding, filed by Defendant YANNI PARTNERS, INC. (Attachments: # 1 Text of Proposed Order)(SMD) (Entered: 03/27/2008)
03/27/2008		(Court only) ***MOTION(S) REFERRED to Magistrate Judge: <u>24</u> MOTION to Appear pro hac vice. Motions referred to William G. Hussmann, Jr.(SMD) (Entered: 03/27/2008)
03/27/2008	<u>25</u>	RECEIPT #EV000601 in the amount of \$ 30.00 (phv fee - Spaulding) (SMD) (Entered: 03/27/2008)
03/27/2008	<u>26</u>	NOTICE of Parties' First Extension of Time to 4-15-08, filed by Defendant

		YANNI PARTNERS, INC. (SMD) (Entered: 03/27/2008)
03/27/2008	<u>27</u>	CERTIFICATE OF SERVICE by YANNI PARTNERS, INC. re <u>26</u> NOTICE of Parties' First Extension of Time and <u>24</u> MOTION to Appear pro hac vice. (SMD) (Entered: 03/27/2008)
03/27/2008	<u>28</u>	ORDER granting <u>24</u> Motion to Appear pro hac vice of Douglas K. Spaulding. Signed by Magistrate Judge William G. Hussmann, Jr on 3/27/08. (SMD) (Entered: 03/27/2008)
03/28/2008	<u>29</u>	NOTICE of Appearance by Harvey J. Wolkoff on behalf of Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Wolkoff, Harvey) (Entered: 03/28/2008)
03/28/2008	<u>30</u>	NOTICE of Appearance by Robert A. Skinner on behalf of Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Skinner, Robert) (Entered: 03/28/2008)
03/28/2008	<u>31</u>	NOTICE of Appearance by Olivia S. Choe on behalf of Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Choe, Olivia) (Entered: 03/28/2008)
03/28/2008	<u>32</u>	NOTICE of Appearance by Jeffrey P. Palmer on behalf of Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Palmer, Jeffrey) (Entered: 03/28/2008)
03/28/2008	<u>33</u>	MOTION to Withdraw <u>23</u> MOTION for Extension of Time to 4/15/2008 Pursuant to Local Rule 6.1, filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Attachments: # <u>1</u> Text of Proposed Order)(Skinner, Robert) (Entered: 03/28/2008)
03/28/2008	<u>34</u>	NOTICE of Parties' First Extension of Time, filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Skinner, Robert) (Entered: 03/28/2008)
03/28/2008	<u>35</u>	NOTICE of Motion to Stay, filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY (Skinner, Robert) (Entered: 03/28/2008)
03/28/2008	<u>36</u>	MOTION to Stay, filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Skinner, Robert) (Entered: 03/28/2008)
03/28/2008	<u>37</u>	BRIEF/MEMORANDUM in Support re <u>36</u> MOTION to Stay, filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Skinner, Robert) (Entered: 03/28/2008)
03/28/2008	<u>38</u>	Corporate Disclosure Statement by STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY identifying Corporate Parent State Street Corporation for STATE STREET BANK AND TRUST COMPANY, STATE STREET GLOBAL ADVISORS, INC... (Skinner, Robert) (Entered: 03/28/2008)

03/28/2008	<u>39</u>	DECLARATION of Jeffrey Palmer <i>In Support</i> re <u>36</u> Motion to Stay by STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Palmer, Jeffrey) (Entered: 03/28/2008)
03/31/2008		(Court only) ***MOTION(S) REFERRED to Magistrate Judge: <u>33</u> MOTION to Withdraw <u>23</u> MOTION for Extension of Time to 4/15/2008 <i>Pursuant to Local Rule 6.1</i> MOTION to Withdraw <u>23</u> MOTION for Extension of Time to 4/15/2008 <i>Pursuant to Local Rule 6.1</i> , <u>36</u> MOTION to Stay. Motions referred to William G. Hussmann, Jr.(TMD) (Entered: 03/31/2008)
04/01/2008	<u>40</u>	ORDER granting <u>33</u> Motion to Withdraw <u>23</u> MOTION for Extension of Time to 4/15/2008 <i>Pursuant to Local Rule 6.1</i> . Signed by Magistrate Judge William G. Hussmann, Jr on 4/01/08. (TMD) (Entered: 04/01/2008)
04/01/2008		(Court only) ***Motions terminated: <u>23</u> MOTION for Extension of Time to 4/15/2008 <i>Pursuant to Local Rule 6.1</i> filed by STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (TMD) (Entered: 04/01/2008)
04/15/2008	<u>41</u>	RESPONSE in Opposition re <u>36</u> MOTION to Stay, filed by Plaintiff WELBORN BAPTIST FOUNDATION, INC.. (Ziegler, R.) (Entered: 04/15/2008)
04/15/2008	<u>42</u>	Unopposed MOTION for Extension of Time File Answer to 4/25/2008, filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Skinner, Robert) Modified on 4/16/2008 (NRN). (Entered: 04/15/2008)
04/15/2008	<u>43</u>	MOTION for Extension of Time to File Answer to April 25, 2008, filed by Defendant YANNI PARTNERS, INC. (Attachments: # <u>1</u> Text of Proposed Order Granting Extension of Time)(Spaulding, Douglas) Modified on 4/16/2008 (NRN). (Entered: 04/15/2008)
04/15/2008	<u>44</u>	Corporate Disclosure Statement by YANNI PARTNERS, INC.. (Spaulding, Douglas) (Entered: 04/15/2008)
04/15/2008	<u>45</u>	NOTICE of Appearance by Douglas K. Spaulding on behalf of Defendant YANNI PARTNERS, INC.. (Spaulding, Douglas) (Entered: 04/15/2008)
04/16/2008	<u>46</u>	CERTIFICATE OF SERVICE by WELBORN BAPTIST FOUNDATION, INC. re <u>41</u> Response in Opposition to Motion to Stay <i>Proceedings Pending a Decision by the Judicial Panel on Multi-District Litigation to Transfer This Action</i> (Ziegler, R.) (Entered: 04/16/2008)
04/16/2008		(Court only) ***MOTION(S) REFERRED to Magistrate Judge: <u>42</u> MOTION for Extension of Time to File Answer, <u>43</u> MOTION for Extension of Time to File Answer. Motions referred to William G. Hussmann, Jr. (TMD) (Entered: 04/16/2008)
04/16/2008	<u>47</u>	ORDER granting <u>42</u> Motion for Extension of Time to Answer to 4/25/08. Signed by Magistrate Judge William G. Hussmann, Jr on 4/16/08. (TMD)

		(Entered: 04/16/2008)
04/16/2008	<u>48</u>	ORDER granting <u>43</u> Motion for Extension of Time to file an Answer to 4/25/08. Signed by Magistrate Judge William G. Hussmann, Jr on 4/16/08. (TMD) (Entered: 04/16/2008)
04/17/2008		(Court only) ***MOTION(S) REFERRED to Magistrate Judge: <u>36</u> MOTION to Stay. Motions referred to William G. Hussmann, Jr.(TMD) (Entered: 04/17/2008)
04/21/2008	<u>49</u>	REPLY in Support of Motion re <u>36</u> MOTION to Stay <i>Proceedings</i> , filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Skinner, Robert) (Entered: 04/21/2008)
04/21/2008	<u>50</u>	***WITHDRAWN PER ORDER <u>53</u> ***DECLARATION of Jeffrey P. Palmer <i>in Support of State Street's</i> re <u>49</u> Reply in Support of Motion by STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Attachments: # <u>1</u> Exhibit A-I)(Palmer, Jeffrey) Modified on 4/24/2008 (TMD). (Entered: 04/21/2008)
04/22/2008	<u>51</u>	MOTION to Withdraw <u>50</u> Declaration of <i>Jeffrey P. Palmer</i> , filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Attachments: # <u>1</u> Text of Proposed Order)(Palmer, Jeffrey) (Entered: 04/22/2008)
04/22/2008	<u>52</u>	DECLARATION of Jeffrey P. Palmer <i>in Support of State Street's</i> re <u>49</u> Reply in Support of Motion by STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit C, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Palmer, Jeffrey) (Entered: 04/22/2008)
04/23/2008		(Court only) ***MOTION(S) REFERRED to Magistrate Judge: <u>51</u> MOTION to Withdraw <u>50</u> Declaration of <i>Jeffrey P. Palmer</i> . Motions referred to William G. Hussmann, Jr.(TMD) (Entered: 04/23/2008)
04/24/2008	<u>53</u>	ORDER granting <u>51</u> Motion to Withdraw <u>50</u> Declaration of Jeffrey P. Palmer - due to e-filing error. Signed by Magistrate Judge William G. Hussmann, Jr on 4/23/08. (TMD) (Entered: 04/24/2008)
04/25/2008	<u>54</u>	ANSWER to <u>1</u> Complaint, filed by YANNI PARTNERS, INC..(Spaulding, Douglas) (Entered: 04/25/2008)
04/25/2008	<u>55</u>	ANSWER to <u>1</u> Complaint, filed by STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Wolkoff, Harvey) (Entered: 04/25/2008)
04/25/2008	<u>56</u>	ORDER granting in part <u>36</u> Motion to Stay. Case is stayed until Telephonic Status Conference set for 6/16/2008 10:00 AM (bridge) before Magistrate Judge William G. Hussmann Jr. If MDL Panel has not ruled before that date, parties are to file a proposed Case Management Plan at least 3 days prior to the status conference. Signed by Magistrate Judge William G. Hussmann, Jr on 4/25/08. (TMD) (Entered: 04/25/2008)

06/05/2008	<u>57</u>	Letter from Robert A. Skinner on behalf of "State Street" defendants. (TMD) (Entered: 06/10/2008)
06/11/2008	<u>58</u>	RESPONSE in Opposition to 57 Letter from Robert A. Skinner on behalf of "State Street" defendants, filed by Plaintiff WELBORN BAPTIST FOUNDATION, INC.. (Ziegler, R.) Modified on 6/12/2008 (NRN). (Entered: 06/11/2008)
06/12/2008	<u>59</u>	Submission of Signature Requirement re 58 Response in Opposition to 57 Letter from Robert A. Skinner by WELBORN BAPTIST FOUNDATION, INC. (Ziegler, R.) Modified on 6/13/2008 (NRN). (Entered: 06/12/2008)
06/12/2008	<u>60</u>	CASE MANAGEMENT PLAN TENDERED, filed by Plaintiff WELBORN BAPTIST FOUNDATION, INC.. (Attachments: # <u>1</u> Magistrate Judge's Summary of Case Management Plan)(Ziegler, R.) (Entered: 06/12/2008)
06/13/2008	<u>61</u>	Reply Memorandum In Support 57 Request To Extend The Stay, filed by Defendants STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Wolkoff, Harvey) Modified on 6/16/2008 (NRN). (Entered: 06/13/2008)
06/13/2008	<u>62</u>	DECLARATION of Olivia S. Choe <i>In Support Of 57 Request To Extend The Stay</i> re <u>61</u> Submission by STATE STREET GLOBAL ADVISORS, INC., STATE STREET BANK AND TRUST COMPANY. (Attachments: # <u>1</u> Exhibit A)(Choe, Olivia) Modified on 6/16/2008 (NRN). (Entered: 06/13/2008)
06/16/2008	<u>63</u>	Letter from Robert A. Skinner (TMD) (Entered: 06/18/2008)
06/18/2008	<u>64</u>	Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr: Status Conference held on 6/16/2008. (TMD) (Entered: 06/18/2008)
06/18/2008		ORDER DENIES request to continue the stay of this litigation for reasons listed in Minute Entry 64 . Signed by Magistrate Judge William G. Hussmann, Jr on 6/18/08.(TMD) (Entered: 06/18/2008)
06/18/2008	<u>65</u>	ORDER: CASE MANAGEMENT PLAN APPROVED AS SUBMITTED. Dispositive Motions due by 8/15/2009. Jury Trial set (5 days) for 11/9/2009 09:00 AM in room #301 before Judge Richard L. Young. Telephonic Status Conference set for 9/29/2008 09:00 AM (bridge) before Magistrate Judge William G. Hussmann Jr. Signed by Magistrate Judge William G. Hussmann, Jr on 6/18/08.(TMD) (Entered: 06/18/2008)
10/01/2008	<u>66</u>	Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr: Telephonic Status Conference held on 9/29/2008. (TMD) (Entered: 10/01/2008)
10/01/2008		SCHEDULING ORDER: Telephonic Status Conference set for 11/4/2008 10:00 AM (bridge) before Magistrate Judge William G. Hussmann Jr. Signed by Magistrate Judge William G. Hussmann, Jr on 10/01/08.(TMD) (Entered: 10/01/2008)
10/28/2008	<u>68</u>	NOTICE and ORDER - Status conference set 11/04/08 and trial set 11/09/09

		are VACATED. Signed by Magistrate Judge William G. Hussmann, Jr on 10/28/08.(TMD) (Entered: 10/29/2008)
10/28/2008	<u>69</u>	PLEASE DISREGARD - DUPLICATE ENTRY - SEE 68 ORDER that Status Conference set 11/4/08 and trial set 11/9/09 are VACATED . Signed by Magistrate Judge William G. Hussmann, Jr on 10/28/08.(SMD) Modified on 10/29/2008 (SMD). (Entered: 10/29/2008)
10/29/2008	<u>67</u>	Letter from Robert A Skinner. (TMD) (Entered: 10/29/2008)

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